

By: Hardcastle

H.B. No. 3138

A BILL TO BE ENTITLED

1 AN ACT

2 relating to methods and procedures of ad valorem taxation of heavy
3 equipment

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 23.1241, Tax Code, is amended by adding
6 Subsection (k) to read as follows:

7 (k) This section does not apply to a dealer who has elected
8 to be subject to Sections 23.12 and 23.1243.

9 SECTION 2. Subchapter B, Chapter 23, Tax Code, is amended by
10 adding Section 23.1243 to read as follows:

11 Sec. 23.1243. ELECTION OF METHOD OF AD VALOREM TAXATION.

12 (a) A dealer who is otherwise subject to Section 23.1241 may
13 elect to be subject to Section 23.12 if the dealer complies with the
14 requirements of this section.

15 (b) A dealer who elects to be subject to Section 23.12 must
16 file an application with the chief appraiser in accordance with
17 that section. Such application must clearly indicate the dealer has
18 elected to be subject to Section 23.12.

19 (c) A dealer that elects to be subject to Section 23.12 may
20 not subsequently elect to be subject to Section 23.1241 until after
21 the third anniversary of an election under sub-section (b).

22 SECTION 3. This Act takes effect September 1, 2011.